1   A   They use a Commonwealth Mark IV paging terminal, the

2 same paging terminal that RAM uses.

3   Q   All right, and suppose I told you that, that

4 Commonwealth insists it can't be done?

5   A   It can be done if it's a chaining process, if you

6 change -- if you chain one telephone number to another

7 telephone number. If you have one telephone number programmed

8 on channel 1, another telephone number programmed on

9 channel 2, you can chain the two numbers together so when you

10 call the first number it initiates a page for the second

11 number and it goes out on channel 2.

12   Q   So, the -- it would be your testimony that if that's

13 the way it's done, it would have to be a constant pattern for,

14 for the duplicate pages, is it not? Is that not correct?

15   A   I don't understand what you --

16   Q   Well, you said the only way it could be done is by

17 chaining and -- numbers together. And we're talking telephone

18 numbers here, are we not?

19   A   Yes.

20   Q   Okay, and, and just --

21   A   Well, not necessarily a telephone number. It's a

22 subscriber number that not necessarily has to be -- it's not

23 necessarily a number that you would pick up a phone and dial

24 from an outside phone.

25   Q   All right.

1   A   It is a number that is within that paging terminal

2 that the -- to get into the paging terminal you have to dial a

3 telephone number from a phone and when that subscriber number

4 is called and you enter your number you wish displayed or

5 whatever the prompt is --

6   Q   Okay.

7   A   -- if that number is chained to another number, it

8 could be a fictitious number that has nothing to do with the

9 phone company, it will initiate that page to go out over

10 whatever it's programmed for.

11   Q   Well, let's, let's first clarify the different

12 numbers that we're talking about here.

13   A   Okay.

14   Q   And we can use RAM's paging terminal as, as an

15 example, because is it your testimony that it's the same

16 terminal?

17   A   I believe so.

18   Q   All right. What, what is RAM's paging terminal?

19   A   Commonwealth Mark IV.

20   Q   Commonwealth Mark IV, all right. Now, what, what

21 numbers are we talking about that are in the chain?

22   A   The Commonwealth terminal works on four-digit

23 number.

24   Q   Okay.

25   A   When, when you dial your telephone number it's --

1 you dial your seven-digit telephone number, you pick up the

2 phone and dial it. The phone company sends to that paging

3 terminal the last four digits. That's the subscriber number

4 that's in the paging terminal.

5   Q   The, the telephone number that is assigned to the

6 subscriber for people wishing to contact that pager. Is that

7 right?

8   A   Yes.

9   Q   Okay. Please continue.

10   A   Okay. Once, once the phone company gets it they

11 only send the last four digits to a Commonwealth terminal.

12 Those four digits is the subscriber number for that particular

13 pager. It has the information of what cap code and what type

14 of pager.

15   Q   Let, let me stop you there. The terminal is

16 connected to the telephone company's central office to receive

17 these four digits associated with the subscriber telephone

18 number. Is that right?

19   A   Yes, it is.

20   Q   Okay. So, could I use the term al palls (phonetic

21 sp.) those four digits or al palls to the terminal?

22   A   Yes, you could.

23   Q   Okay, and the terminal then decodes the message from

24 the central office --

25   A   Yes.

1   Q   -- and what, does it table look-up at that point?

2   A   It looks in the database to what information

3 pertains to that pager.

4   Q   Okay. Now, the, the table look-up at that point

5 contains what information?

6   A   Contains the cap code which gives the pager its

7 personal identity. Contains the type of pager, whether it be

8 digital display, alpha, tone and voice, whatever type of pager

9 it is. The, the channel, the transmitter number, the channel

10 number. There's a chain option where if you put a number to

11 chain it to it initiates a page to another pager. Whether

12 it's a repeat page. Number of times that pager has been

13 paged. I mean, there's some informational type stuff on the

14 screen. That's -- just from sitting here recollecting, that's

15 what I can come up with that's on there.

16   Q   Now, when the -- let's, let's follow your theory for

17 a moment then. So, when the, the instruction comes in from

18 the central -- or the message comes in from the central

19 office, the terminal does the table look-up and it, it sees

20 the first cap code that it's supposed to address. Is that

21 right?

22   A   Right.

23   Q   Okay, and what, it then generates the, the --

24   A   Generates the packet, the page itself.

25   Q   The, the packet, okay. And that contains

1 information -- that packet contains information to steer the

2 page to the correct channel output board on the, on the

3 terminal, right?

4   A   Right.

5   Q   Okay. Now, on the -- now then, how does the chain

6 sequence occur?

7   A   It -- once you dial in and enter you wish displayed,

8 it will -- it'll automatically generate a page on the number

9 that -- the chain to number on the --

10   Q   Okay, but, but how is that -- how, how is it -- is

11 the terminal made to do that? What do you have to do to make

12 that happen?

13   A   In the, in the programming of the pager or the

14 subscriber --

15   Q   Right.

16   A   -- there is a field called chain, chain-to, I think,

17 something like that. You put a subscriber number down there

18 and that tells it to chain it to another subscriber, the other

19 subscriber it pages to.

20   Q   The cap -- it's not to the same cap code? Is that

21 right?

22   A   Excuse me?

23   Q   The, the, the chain would not be to the same cap

24 code? It could be to any cap code?

25   A   It would be to the cap code programmed on the number

1   that it's chained to.

2   Q   I'm sorry. The cap code number --

3   A   Would be the number -- the chain-to number, that

4   subscriber number --

5   Q   Right.

6   A   -- whatever cap code is programmed in it is the cap

7   code that goes out on it.

8   Q   Well, what is the, the part that causes the chain to

9   occur? The seven-digit telephone number or the cap code?

10   A   The -- just the initial phone call causes the chain

11 to work.

12   Q   No, I'm sorry, I'm, I'm, I'm not being clear. When

13 you program the terminal to make the chain happen --

14   A   Okay.

15   Q   -- what data items are actually linked together in

16 the, in the terminal? Is it the seven-digit telephone number

17 or the cap code?

18   A   You link two, two subscriber numbers together.

19   Q   So, it would be the seven-digit telephone number?

20   A   It's a four-digit number in this case. The, the

21 terminal only looks at a four-digit number.

22   Q   Okay.

23   A   The phone company is only sending four digits.

24   Q   Okay, but what I'm, what I'm trying to determine is

25 that when you instruct the terminal to chain, the, the chain

1 sequence is off of the telephone number as opposed to the cap

2 code?

3   A   Yes.

4   Q   Okay. And then I, I gather that because the, the

5 terminal then does a -- well, I --let me ask you. How does

6 the chain sequence then work? What, what is the protocol that

7 the terminal goes through to then make that chain happen?

8   A   The call is initiated, the telephone company sends

9 four digits to the paging terminal --

10   Q   Okay.

11   A   -- the paging terminal looks up that subscriber,

12 sends the page, sees that it's a chain-to --

13   Q   Okay.

14   A   -- and sends it to the other pager.

15   Q   No, wait. Sends it to the other pager?

16   A   To the other subscriber number. Sends another page

17 out.

18   Q   That's, that's not a very precise description of

19 what the terminal physically does to make that happen. I, I

20 followed you to the point of the, the terminal first gets the

21 message from the telephone company for the -- on the initial

22 call in --

23   A   Right.

24   Q   -- and it, it, it, it receives the four digits and

25 then does a table look-up to determine --

1   A   To determine what to do next.

2   Q   To determine what to do for calls associated with

3 that four-digit number?

4   A   Right.

5   Q   Okay, and that it does on --

6   A   And in that table, and in that table when it looks

7 it up there's an option to chain it to another subscriber

8 number. And when it looks it up it sees that it's a chain-to

9 and it sends -- it, it initiates a page to that other

10 subscriber number.

11   Q   Well, I, I guess what I need to understand better is

12 when you say initiates. Okay. It does a table look-up to

13 determine the information on the first page and let's say

14 hypothetically we're talking about a -- an alpha page.

15   A   Okay.

16   Q   During this period of time is it holding in its

17 memory the information to be associated with that page. Isn't

18 that right?

19   A   Um-hum.

20   Q   So that when -- you have to say yes or --

21   A   Yes.

22   Q   So that when it's -- when the, when the transmission

23 is sent out over the air to the cap code which identifies the

24 receiver and in the field, the -- whatever message, whether

25 it's alpha or telephone number or whatever is then packaged as

1 part of the overall transmission and sent to the first party

2 from the table look-up. Isn't that right?

3   A   Right.

4   Q   Now, we need to know very precisely what the

5 terminal then does to make the chain sequence works and we

6 need it in quasi-technical language.

7   A   It -- basically, when it does the look-up and

8 collects the information for that page it initiates -- it's,

9 it's the same as somebody dialing the number, I mean it, it

10 automatically initiates a page to that pager. I mean, there's

11 no -- there's nothing mysterious. All -- it's -- this is all

12 happening within seconds. I mean, actually less than seconds

13 probably. You dial the number, it sends the four digits to

14 the paging terminal, the paging terminal looks up that

15 subscriber number, gives the correct prompt, please enter the

16 numbers you wish displayed or whatever type pager it is, and

17 they enter the numbers and at this time it initiates a page.

18   Q   Okay, and, and isn't it true that in the, in the

19 sequence it processes the entire chain, you know, in order? I

20 mean, it does a table look-up, it has an instruction, it does

21 the, the chain and, and transmits? Isn't that the way it

22 works?

23   A   Yes.

24   Q   So that if you have -- and RAM being a busy system

25 -- you would have multiple calls coming in at the same time,

1 or in close sequence, right?

2   A   Yes.

3   Q   But only one page can be transmitted over the air at

4 a time by the transmitter. Isn't that right?

5   A   It actually batches up pages together and when it

6 keys up it sends several out at a time. It doesn't go up and

7 down.

8   Q   It doesn't go up and down, but, but it, it, it only

9 transits one page at a time. --

10   A   It sends --

11   Q   Is that right?

12   A   Yes.

13   Q   And even in the case of, of an alpha page, how much

14 of a time interval is there between the addresses for

15 consecutive pages?

16   A   Could you repeat that question?

17   Q   How much of a time interval in a, in a batch of

18 pages is there between one selected address and the next one

19 in a queue?

20   A   There's -- I mean, they're right behind each other

21 within -- you know, within a second, you know.

22   Q   Isn't it, isn't in fact milliseconds?

23   A   Yeah, I mean, I mean they're going out right behind

24 each other.

25   Q   And we're talking high-speed digital, right?

1   A   Right.

2   Q   And when you -- in a, in a, in a -- do you have any

3 idea how many pages can be transmitted in a second of time?

4   A   Have no idea.

5   Q   Do -- are you familiar with pox sag (phonetic sp.)

6 formats?

7   A   Yes.

8   Q   And at what data speed is that?

9   A   512 or 1200, depending on the system.   It can be

10 either.

11   Q   All right, but, but when you say 512, isn't that 512

12 bytes of data per second?

13   A   Yes.

14   Q   And how, how many -- how big is a byte of data?

15   A   How big is a byte of data?

16   Q   Yeah.   How many pages would be contained in a byte

17 of data?

18   A   I don't know.

19   Q   Well, let me ask you this.   In, in a second of time,

20 isn't it true that you can transmit multiple pox sags into the

21 pages?

22   A   I would say so.

23   Q   So, it's, it's a fraction of a second per page isn't

24 it?

25   A   Yes.   I'll go along with that.

1   Q   Doesn't the terminal then process -- I'm sorry, let

2 me back up. How many trunks typically, telephone lines, would

3 be coming in to a Mark IV paging terminal?

4   A   It all depends on how busy the system is and how

5 many people you have dialing in to it. I think it's capable

6 of 24.

7   Q   Up to 24 different telephone lines going in to the

8 same terminal?

9   A   Yes, about --

10   Q   So, you would have up to 24 simultaneous pages

11 coming in --

12   A   Hypothetically, yes

13   Q   -- at the same time?

14   A   Yes.

15   Q   And when the, when the terminal does this, sees all

16 these requests for pages, does it not then process each

17 request for a page in some sort of sequence?

18   A   First in, first out.

19   Q   First in, first out. And isn't it true that it then

20 follows all the instructions that it has in the table look-up

21 before proceeding to the next page?

22   A   Yes.

23   Q   So, if the chaining sequence were correct, the, the

24 -- each time there was a chain, the transmission would occur,

25 then -- I'm sorry, the pager would initiate the page first on

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 1  the -- first to the pager in -- that is first in line in the

 2  chain, right?

 3        A     Right.

 4        Q     And then next to the, to the page that is next in

 5  line in the chain, you know, according to its instructions?

 6        A     Yes.

 7        Q     Is that right?

 8        A     Yes.

 9        Q     And then if it's only a two-number chain, it will go

10  to the next request for a page and then process whatever

11  information that is associated with that request.  Isn't that

12  right?

13        A     Yes.

14        Q     In your present employment, I believe you said with

15  American Mobile Phone?

16        A     Yes.

17        Q     Could you explain what American Mobile Phone is?

18        A     American -- it's American Mobile Phone Paging.  They

19  are a paging company based out of Birmingham, Alabama, and I

20  maintain their West Virginia operation.

21        Q     Where, where are you located?

22        A     Charleston, West Virginia.

23        Q     You're in Charleston?

24        A     That's where the main office is, yes.

25        Q     And so American Mobile Phone provides paging service
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1 in, in the Charleston area?

2   A   Yes, sir.

3   Q   Does it compete with Capitol?

4   A   Yes, sir, it does, along with RAM.

5   Q   Along with RAM and --

6   A   And everybody else that's there.

7   Q   Now, what, what are your responsibilities now for,

8 for American Mobile Phone?

9   A   I maintain their paging system.

10   Q   Paging system. Do you deal with interference

11 complaints?

12   A   Yes.

13   Q   Interference problems?

14   A   Yes, I do.

15   Q   And in the course of your duties for American Mobile

16 Phone have you had occasion to encounter interference problems

17 between American Mobile Phone system and Capitol's paging

18 system?

19   A   Yes.

20   Q   And could you --

21   A   Well, it wasn't Capitol's paging system. It was my

22 paging system interfering with a mobile phone receiver that

23 belonged to Capitol.

24   Q   Okay. Let's, let's get this a little more specific

25 on the record.

1   MR. JOYCE: If, if Mr. Hardman would explain the

2   relevancy, I have no objection to this line of inquiry, but

3   it's certainly well beyond the scope of direct.

4   MR. HARDMAN: Well, Your Honor, the, the relevancy

5   is that it's going to show I believe that the -- that, that

6   Capitol -- this witness has had personal experience with, with

7   Capitol in dealing with interference problems between

8   competitors which is -- will put, you know, Capitol's approach

9   in a completely different light than what is portrayed by the

10   government in this case.

11   JUDGE CHACHKIN: I'll overrule the objection.

12   BY MR. HARDMAN:

13   Q   American Mobile Phone is operating on a VHF paging

14   frequency -- common-carrier paging frequency? Is that right?

15   A   Yes.

16   Q   And is that frequency 158.70 MHz?

17   A   Yes, it is.

18   Q   Okay, and Capitol's mobile system is operating on

19   Channel 1, is that right, RCC Channel 1?

20   A   I'm not sure.

21   Q   All right. Is it 152.03 MHz for the base station?

22   A   I'm not sure. I have no idea.

23   Q   Okay, but we're talking about are we not

24   transmissions from American Mobile Phone that are interfering

25   with mobile receivers associated with Capitol's system? Is

1 that --

2   A   Yes. The complaint was that a mobile receiver

3 within their answering service, it was opening the squelch on

4 it.

5   Q   Okay, and as a result of which the, the receiver on,

6 on Capitol's system was hearing American Mobile Phone's paging

7 traffic wasn't it?

8   A   Yes.

9   Q   And did this -- did, did, did Capitol contact

10 American Mobile Phone about this?

11   A   Yes, they did.

12   Q   And who did that? Who, who was the person?

13   A   I don't know who made the initial call to the

14 office. I have spoke with Mike Raymond about the problem.

15   Q   On more than one occasion?

16   A   Maybe two. I'm not sure to tell you the truth.

17   Q   For how long a period of time has this problem

18 occurred?

19   A   It's happened off and on since I've been with

20 American, and if I'm not mistaken it might have happened

21 before then. I'm not sure though.

22   Q   And so this would be within your realm of

23 responsibility, wouldn't it, to, to resolve?

24   A   Yes, it would.

25   Q   And you said that it's happened off and on for what,

1 a year?

2 A No, I've only been with American for five months.

3 Q Okay, but it's happened on and off for, for five a

4 five-month's period of time?

5 A Yes.

6 Q And as, as far as you know, longer than actually

7 because you believe it happened also before?

8 A I believe it did.

9 Q Okay. Why haven't you fixed it by now?

10 A Because there is no problem. I've, I've checked my

11 transmitter several times and it's -- looks good on a spectrum

12 analyzer. You know, there's, there's not a whole lot else I

13 can do.

14 Q So, when you say it's not a problem do you

15 disbelieve that your transmission is opening squelch on the

16 receiver?

17 A No, no, I do not disbelieve that.

18 Q It's happening isn't it?

19 A Yeah, I suppose it is.

20 Q But what you're really saying is it not is that you

21 can't figure out why the problem occurred isn't it?

22 A There, there is no problems with my transmitter.

23 Q That's the critical point. You checked your system

24 and as far as you can tell it's working properly. Isn't that

25 right?

1   A   Yes.

2   Q   So, you can't really explain why --

3   MR. JOYCE: I'm renewing my objection, Your Honor.

4   JUDGE CHACHKIN: I understand that and I'm

5   overruling it.

6   BY MR. HARDMAN:

7   Q   You can't really understand why it's causing this

8   interference to Capitol's mobile can you?

9   A   No, I cannot.

10   Q   Now, what has Capitol's attitude been in resolving

11   -- in, in dealing with this interference problem? Have they

12   been belligerent?

13   A   Can you explain the -- what that word means?

14   Q   Let, let me rephrase it. Have they been -- has

15   Capitol been nasty to American Mobile Phone?

16   A   No, they have not.

17   Q   Have they accused American Mobile Phone of trying to

18   do them competitive harm?

19   A   No, they have not.

20   Q   American Mobile Phone is a competitor. Wouldn't you

21   expect Capitol to be hostile in dealing with this problem?

22   A   I, I mean, I don't know what I would expect. I

23   mean, they, they have not been hostile.

24   Q   Isn't it true they've been cooperative in trying to

25   figure out what the problem is?

1   A   Yes.

2   Q   Do you have any complaints about their cooperation

3 or willingness to try to work out or figure out what the, what

4 the technical problem is?

5   A   No.

6   Q   And, and, and this is true notwithstanding that

7 they're your competitor. Is that right?

8   A   Right.

9   Q   Let me go back just, just briefly to the procedure

10 you used when you made the, the monitoring. The two Hark

11 verifier units that you used, and I'm talking about just the

12 units themselves not the Bear Cat scanners, when you placed

13 them on the table in the room where you did the monitoring how

14 close together were they?

15   A   They were -- I mean, one was on one end and one was

16 on the other end because I needed enough receptacles to plug

17 everything in.

18   Q   About --

19   A   So I mean, they were probably, probably a good three

20 feet between them.

21   Q   So, it wasn't a big table that you're talking about?

22   A   It was probably, you know, eight-foot table. I'm

23 not sure.

24   Q   So, it would have been more like eight feet apart if

25 one was on one end and one was on the other?

1   A   Well, yeah, I mean three or four feet apart at

2 least.

3   Q   Okay, and then the, the, the scanner associated with

4 each verifier unit was then hard-wired within, you know, a

5 fairly short distance?

6   A   Yes.

7   Q   And, and placed within a short distance of the unit

8 associated with that. Is that right?

9   A   Yes, it was.

10   MR. HARDMAN: That's all the questions I have, Your

11 Honor.

12   JUDGE CHACHKIN: Any redirect?

13   MS. LADEN: Yes, Your Honor.

14   JUDGE CHACHKIN: Go ahead.

15   MS. LADEN: Your Honor, I think I'd like to have

16 marked for identification -- those are the only copies, I

17 could have more copies brought in or I could make copies. I'd

18 like to have them marked for identification as Private Radio

19 Bureau Exhibits 16 and 17.

20   JUDGE CHACHKIN: Which is 16?

21   MS. LADEN: Just -- Your Honor, if I could approach

22 the --

23   JUDGE CHACHKIN: Go ahead.

24   MS. LADEN: -- to get copied. Thank you. Number 16

25 is a copy of a printout. The first date that appears thereon

1 is 10/28/92 and the handwritten notation 152.48.

2   JUDGE CHACHKIN: All right. The printout for 152.48

3 will be marked for identification as Bureau Exhibit 16.

4   (Whereupon, the document referred to

5   as Private Radio Bureau Exhibit 16

6   was marked for identification.)

7   MS. LADEN: And there's a document with a date on it

8 of 10/28/92 and a handwritten notation 152.510. I'd like to

9 have that marked as Private Radio Bureau Exhibit 17.

10   JUDGE CHACHKIN: All right. That document will be

11 marked for identification as Private Radio Bureau Exhibit 17.

12   (Whereupon, the document referred to

13   as Private Radio Bureau Exhibit 17

14   was marked for identification.)

15   MS. LADEN: Your Honor, in view of the cross-

16 examination on these documents about whether there has been a

17 match of individual entries, I'd like to offer these into

18 evidence. I, I haven't had a chance to study them, and this

19 would in lieu of having the witness testify as to each and

20 every match in, in these voluminous documents. They speak for

21 themselves.

22   MR. HARDMAN: Your Honor, at this point the

23 documents really have not been authenticated as, as far as,

24 you know, the Bureau's offer is concerned and I would, I would

25 ask that they be properly authenticated before any receipt

1 into evidence.

2   MS. LADEN: Your Honor, if I could show them to the

3 witness?

4   JUDGE CHACHKIN: Go ahead.

5   REDIRECT EXAMINATION

6   BY MS. LADEN:

7   Q   Mr. Blatt, if you would look at those two documents,

8 the smaller one having been marked as Private Radio Bureau

9 Exhibit 16 and the other one as Private Radio Bureau Exhibit

10 17. Have you ever seen those documents before?

11   A   Yes.

12   Q   And where have you seen them before? When was the

13 first time you saw those documents?

14   A   On 10/28/92.

15   Q   And what are those documents?

16   A   They're printouts from a Hark verifier.

17   Q   Did you cause those printouts to be made?

18   A   Yes.

19   MS. LADEN: Your Honor, I'd like to offer the two

20 exhibits.

21   MR. HARDMAN: Could I have some voir dire, Your

22 Honor?

23   JUDGE CHACHKIN: Yes.

24   BY MR. HARDMAN:

25   Q   Mr. Blatt, how many pages do those documents consist

1 of?

2   A   I do not know.

3   Q   And do you know if that purports to be a

4 complete -- those documents purport to be a complete record of

5 your monitoring on those dates?

6   A   No, but I do have the original copy that is complete

7 for sure. I mean, these copies were, were made yesterday

8 morning and they were complete copies that were made unless

9 they've been tampered with. I mean, they were complete copies

10 when they came into then courtroom, yes.

11   Q   Okay, and, and, and you know that of your own

12 knowledge, that they were complete copies when they came into

13 the courtroom?

14   A   Yes.

15   Q   Okay, and to make sure I understand, they, they are

16 copies of all of the monitoring that occurred on those

17 channels on those dates. Is that right?

18   A   This is a copy from the -- 10/28/92 from the

19 monitoring done on that day.

20   Q   Right, and, and as I understand it, it's all of the

21 monitoring that was done on that day. Is that right?

22   A   Yes, as far as I know. I mean --

23   MR. HARDMAN: Thank you, Your Honor.

24   JUDGE CHACHKIN: All right. Any objection to Bureau

25 Exhibits 16 or 17?

1   MR. HARDMAN: No objection.

2   JUDGE CHACHKIN: Bureau Exhibits 16 and 17 are

3 received.

4   (Whereupon, the documents referred to

5   as Private Radio Bureau Exhibits 16

6   and 17 were received into evidence.)

7   JUDGE CHACHKIN: Permission is granted to withdraw

8 for purpose of making copies. You want to give these copies

9 to the reporter so she can mark for -- mark the documents?

10   BY MS. LADEN:

11   Q   Thank you. Mr. Hardman asked you some questions

12 about the nature of the competition between American Mobile

13 Phone and Capitol.

14   A   Yes.

15   Q   Is that correct? Is American Mobile Phone -- is

16 your paging system a PCP?

17   A   No, it is not.

18   Q   Is it an -- it's an RCC?

19   A   Yes, it is.

20   Q   How, how are the rates determined for an RCC?

21   MR. HARDMAN: Your Honor, I object to this. Nothing

22 on cross-examination went to that. All I asked this witness

23 was whether American Mobile Phone was a competitor of Capitol.

24   MS. LADEN: Your Honor --

25   JUDGE CHACHKIN: What do rates have to do with

1 anything?

2   MS. LADEN: Your Honor, if the rates are set -- the

3 rates for a common carrier are set -- are, are regulated.

4 Therefore, a competitor who is also in the common-carrier

5 business cannot price -- undercut price-wise, a competitor in

6 the common-carrier business. In the PCP paging business, on

7 the other hand, a competitor can undercut another competitor

8 price-wise. So, the nature of the competition is very

9 different.

10   MR. HARDMAN: Your Honor --

11   MS. LADEN: That's the reason for this line of

12 questioning.

13   JUDGE CHACHKIN: I assume they're all still

14 competing for customers regardless of what the service is.

15   MS. LADEN: That's right, but the RCC -- two

16 competitors in the RCC business would not be able to undercut

17 each other.

18   MR. HARDMAN: I object, Your Honor. That -- I mean,

19 that's just absolutely not true and this witness --

20 Ms. Laden is not a witness. And, and I also object that this

21 witness said he was technical. There's no foundation for --

22   JUDGE CHACHKIN: I'll sustain the objection. This

23 witness is not qualified to testify about those matters.

24   BY MS. LADEN:

25   Q   Now, you were answering questions by Mr. Hardman